

(G.C.P.)J 455 (5,00,000)-11.2001)

Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE
Contempt Petition No.123 of 1995

Office Notes, Office Memoranda
of Coram, appearances, Court's
order or directions and
Registrar's order.

Court's or Judge's orders

None present for the petitioner as well as
for the respondent No.1.

Shri K.K.Tated, AGP for the respondent No.2.

CORAM : R.M.S.KHANDEPARKAR, J

DATED : 23rd November, 2004

P.C.

1. None present for the petitioner and
the respondent no.1. Shri Tated, the
learned AGP present for the respondent No.2.

2. The grievance of the petitioner
relates to the non-compliance of the
undertaking given by the respondents. The
undertaking was to the effect that the
respondents would vacate the premises before
the end of March, 1995. The contempt
proceedings were filed on 5th April, 1995.
The matter was admitted for final hearing by
an order dated 25th September, 1995. The
records do not disclose any steps having

been taken for service of the notice issued to the respondent No.1. It appears that the petitioner has no interest in the matter, therefore, apparently, since September, 1995, no steps have been taken by the petitioner.

3. Since the matter pertains to the non-compliance of the undertaking and the undertaking was to the effect that the suit premises were required to be vacated by the respondents by the end of March, 1995, I do not find any purpose would be served by keeping the matter pending and/or by giving notice to the respondents, at this stage. The Contempt Petition is, therefore, dropped and disposed of. The notice stands discharged.
